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November 10, 2022

Via CM/ECF

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York

MEMO ENDORSED

Re: Velazquez v. CM School Supply, Inc.
Case #: 1:22-cv-07174-KPF

Dear Judge Failla:

We represent the plaintiff in the above matter. We write to respectfully request that the Initial Conference scheduled for November 15, 2022, be adjourned because Defendant is in the process of being served, and the parties have not yet had an opportunity to collaborate on a joint letter and case management plan.

In addition, Plaintiff requests to strike the proof of service he submitted on October 31 (Docket #6). With apologies to the Court, we misinterpreted the form provided by our service company as proof of service because it states "AFFIDAVIT OF SERVICE" at the top of the form. In fact, the bottom of the form indicates that the defendant was not served at the stated address.

Our service company now advises that Defendant was served at a different address on November 8, 2022. Plaintiff will file a new proof of service as soon as he receives the affidavit from the service company.

We thank Your Honor and the Court for its kind considerations and courtesies.

Respectfully submitted,

s/ Mark Rozenberg
Mark Rozenberg, Esq.

Application GRANTED. The initial pretrial conference scheduled to take place on November 15, 2022, is hereby **ADJOURNED to December 21, 2022, at 3:00 p.m.**

The Clerk of Court is directed to strike the document at docket entry 6, and to terminate the pending motion at docket entry 7.

Dated: November 10, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE